

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

WALDEMAR E. ALBERS REVOCABLE)
TRUST, *et al.*)
)
Plaintiffs)
) No. 3:07-0421
v.) Judge Sharp/Brown
)
MID-AMERICA ENERGY, INC.;)
et al.,)
)
Defendants)
)

TO: THE HONORABLE KEVIN H. SHARP

REPORT AND RECOMMENDATION

Presently pending is a motion to approve receiver's fees and expenses and to approve application of recovered assets to receiver's fees and expenses (Docket Entry 518). The Magistrate Judge requested additional information directed to receiver to notify all interested parties and set a deadline for March 7, 2014, for any objections (Docket Entry 521).

No objections have been received. Although it is unfortunate that at the present time the assets recovered by the receiver have been far less than expenses, nevertheless the receiver has proceeded in good faith in this matter and has assisted the United States in its efforts to secure restitution from other funds from a separate criminal forfeiture proceeding. Under these circumstances, the Magistrate Judge believes that the motion should be approved and, therefore, recommends that the motion be granted by the District Judge and the funds disbursed as requested.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has **14 days** from receipt of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have **14 days** from receipt of any objections filed in this Report in which to file any responses to said objections. Failure to file specific objections within **14 days** of receipt of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *Thomas v. Arn*, 474 U.S. 140 106 S. Ct. 466, 88 L.Ed.2d 435 (1985), *Reh'g denied*, 474 U.S. 1111 (1986).

ENTERED this 24th day of March, 2014.

/s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge